



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GROVER SELLERS
ATTORNEY GENERAL

Honorable George W. Cox
State Health Officer
Texas State Board of Health
Austin 2, Texas

Dear Sir:

Opinion No. 0-6089

Re: Would a studio couch or sofa bed be considered an article of bedding, and, therefore, under the jurisdiction of the State Bedding Act?

This will acknowledge receipt of your letter, dated June 19, 1944, which reads, in part, as follows:

"Under the Texas State Bedding Act (Senate Bill No. 200, of the 46th Legislature, we should like to have your opinion on the following question:

Would a Studio Couch or Sofa Bed be considered as an article of bedding, and, therefore, come under the jurisdiction of the State Bedding Act?

As you probably know, a Studio Couch or Sofa Bed is manufactured for the purpose of being used either as an item of upholstered furniture (a Couch or Divan) or as an article of bedding since it will let down or unfold and can be used for sleeping or reclining purposes."

Section 1(a) of Article 4476a, Vernon's Annotated Civil Statutes, provides, as follows:

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"Section 1. (a). The term 'bedding' as used in this Act shall mean mattresses, pillows, bolsters, feather beds and other filled bedding of any description." (Emphasis ours)

Since a studio couch or sofa bed is designed for sleeping or reclining purposes as well as an item of upholstered furniture, it is the opinion of this department that they are articles of bedding and fall within the purview of Section 1(a) of Article 4476a, supra. We, therefore, answer your question in the affirmative.

Trusting this satisfactorily answers your inquiry,
we are

Yours very truly

ATTORNEY GENERAL OF TEXAS

By (s) Fred C. Chandler
Assistant

By (s) Elton M. Hyder, Jr.

EMH:ff
EMH:fe

APPROVED JUN 29, 1944
(s) Geo. P. Blackburn
(Acting) ATTORNEY GENERAL
OF TEXAS

APPROVED OPINION COMMITTEE
BY (S) EWB, CHAIRMAN